

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SPENCER YOUNG,

Plaintiff,

vs.

CITY OF SEATTLE, JENNY DURKAN,  
Mayor, LORENA GONZALEZ, LISA  
HERBOLD, DEBORA JUAREZ, ANDREW J.  
LEWIS, TAMMY J. MORALES, TERESA  
MOSQUEDA, ALEX PEDERSEN, KSHAMA  
SAWANT, DAN STRAUS, Seattle City Council  
Members, in their official capacities,

Defendants.

No.

KING COUNTY SUPERIOR COURT  
CAUSE NO. 20-2-09607-5 SEA

**NOTICE OF REMOVAL TO FEDERAL  
COURT UNDER 28 U.S.C. § 1441(a)**

TO: THE UNITED STATE DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON, AT  
SEATTLE:

Defendant City of Seattle hereby gives notice that it is removing the above-referenced case to the  
United States District Court for the Western District of Washington on the grounds set forth below. The  
City and the individually named Defendants, who are all elected officials and employees of the City of  
Seattle named in their official capacity, consent to the removal.

NOTICE OF REMOVAL TO FEDERAL  
COURT UNDER 28 U.S.C. § 1441(a) - 1

**Peter S. Holmes**  
Seattle City Attorney  
701 5th Avenue, Suite 2050  
Seattle, WA 98104-7097  
(206) 684-8200

**I. SUMMARY OF STATE COURT PROCEEDINGS**

1. Plaintiff filed this action in King County Superior Court on June 4, 2020. **The Complaint is attached hereto as Exhibit 1.** Defendant City of Seattle was served with the Complaint on June 5, 2020.

2. After filing this Notice of Removal, Defendants will give notice to the King County Superior Court of the removal of this action.

**I. GROUNDS FOR REMOVAL**

4. Plaintiff's Complaint alleges that Defendants violated the Second Amendment of the United States Constitution because the Seattle Municipal Code confers on the Mayor emergency powers related to firearms, among other things.

5. This Court has original jurisdiction over Plaintiff's claims invoking U.S. Const. amend. II because they are claims arising under the "Constitution, laws, or treaties of the United States" within the meaning of 28 U.S.C. § 1331. Accordingly, this action is subject to removal to "the district Court of the United States for the district and division embracing the place where [the] action is pending." 28 U.S.C. § 1441(a). Pursuant to Local Rules W.D. Wash. LCR 3(e)(1) Defendants are removing this case to the Western District of Washington, Seattle Division, because it is removing this case from King County Superior Court.

6. Plaintiff also alleges claims arising under the laws of the State of Washington. Upon information and belief, any such claims would be so related to Plaintiff's claims invoking U.S. Const. amend. II that they form part of the same case or controversy, and thus are within this Court's supplemental jurisdiction. 28 U.S.C. § 1367(a).

1 For all of the reasons stated above, Defendant City of Seattle hereby give notice that the civil  
2 action in King County Superior Court, State of Washington has been removed from that Court to the  
3 United States District Court for the Western District of Washington at Seattle.

4 DATED this 24th day of June, 2020.

5 PETER S. HOLMES  
6 Seattle City Attorney

7 By: /s/Carolyn U. Boies  
8 Carolyn U. Boies WSBA#40395

9 /s/Brian G. Maxey  
10 Brian G. Maxey, WSBA#33279  
11 Assistant City Attorneys

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14 Seattle City Attorney's Office  
15 701 Fifth Avenue, Suite 2050  
16 Seattle, WA 98104  
17 Phone: (206) 684-8200

18 *Attorneys for Defendant City of Seattle*  
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**DECLARATION OF SERVICE**

I hereby declare under penalty of perjury under the laws of the State of Washington, that on this date, I electronically filed the foregoing document with the Clerk of the Court using the ECR E-filing Application, and caused a true and correct copy to be served on the following in the manner(s) indicated:

Spencer Young 2801 Western Avenue Apt. 1019 Seattle, WA 98121 <a href="mailto:Spencer.young@spyoung.com">Spencer.young@spyoung.com</a> <b>Plaintiff, Pro Se</b>	<input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Facsimile
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DATED this 24th day of June, 2020, at Seattle, Washington.

*s/Marisa Johnson*

Marisa Johnson, Legal Assistant